

**75-3-801. Notice to creditors.**

(1) (a) A personal representative, upon appointment, may publish a notice to creditors announcing the personal representative's appointment and address and notifying creditors of the estate to present their claims within three months after the date of the first publication of the notice or be forever barred.

(b) The notice described in Subsection (1)(a) shall be published:

(i) once a week for three successive weeks in a newspaper of general circulation in the county; and

(ii) in accordance with Section 45-1-101 for three weeks.

(2) A personal representative may give written notice by mail or other delivery to any creditor, notifying the creditor to present his claim within 90 days from the published notice if given as provided in Subsection (1) above or within 60 days from the mailing or other delivery of the notice, whichever is later, or be forever barred. Written notice shall be the notice described in Subsection (1) above or a similar notice.

(3) The personal representative shall not be liable to any creditor or to any successor of the decedent for giving or failing to give notice under this section.

(4) If the estate is being administered in accordance with Section 75-3-1201, a notice to creditors may be published in an affidavit in accordance with this section by the person claiming to be the successor or the decedent.

Amended by Chapter 364, 2013 General Session